IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Writ Petition No.5146 of 2004

Shri Mahadeo Pandurang Shewale Petitioner
Vs.
The Deputy Registrar,
Co-op. Societies, Karad & ors. Respondents

Mr.V.B.Rajure for petitioner.
Mr.V.S.Gokhale for Resp.Nos.1, 2 and 4.
Mr.V.P.Sawant for Resp.No.3.

CORAM: B.H.MARLAPALLE,J.

June 12, 2006.

P.C.

. The Liquidator issued a show cause notice on 8/2/2002 for the recovery of Rs.1,19,369/-. The petitioner was required to file his say to the said notice by 25/2/2002 and he was to be heard by the Liquidator. Obviously, instead of filing reply to the said show cause notice the petitioner went in Revision Application No.398 of 2002 before the Divisional Joint Registrar, Co-operative Societies, Kolhapur Division who was pleased to reject the said revision for want of limitation.

. There is no doubt that the challenge before the Divisional Joint Registrar to the show cause notice was premature and it is necessary for the petitioner to file his reply to the said show cause

notice and agitate all the legal as well as factual issues before the Liquidator. If the petitioner approaches the Liquidator and files his reply within a period of four weeks from today, he shall be heard before the order for recovery is passed by the Liquidator, in case the same has not yet been passed.

. Save and except the above directions, the petition is rejected summarily.

(B.H.MARLAPALLE,J.)